

# UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF MICHIGAN  
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## **NOTICE OF AMENDMENTS TO LOCAL RULES**

On May 7, 2007, the Judges of the United States District Court for the Eastern District of Michigan approved amendments to its Local Rules, effective June 1, 2007:

- LR 54.1, Taxation of Costs
- New LR 54.1.2, Attorneys' Fees

Pursuant to Fed. R. Civ. P. 83 and E.D. Mich. LR 83.1(a), proposed amendments to these LR's were previously published for comment.

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### **LR 54.1      Taxation of Costs**

A party seeking costs must file a bill of costs no later than 28 days after the entry of judgment. The clerk will tax costs under Fed. R. Civ. P. 54(d)(1) as provided in the Bill of Costs Handbook available from the clerk's office and the court's web site.

COMMENT: A post-judgment motion that extends the time to appeal also extends the time to file a bill of costs under this rule until 28 days after the court rules on the post-judgment motion. *Miltimore Sales, Inc v International Rectifier, Inc*, 412 F3d 685 (6th Cir 2005).

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### **LR 54.1.2      Attorneys' Fees**

(a) A motion for attorneys' fees and related non-taxable expenses pursuant to Fed.R.Civ.P. 54(d)(2) must be filed no later than 28 days after entry of judgment.

(b) A motion for an award of attorneys' fees shall be supported by a memorandum brief as to the authority of the court to make such an award, and as to why the movant should be considered the "prevailing party," if such is required for the award. The motion shall also be supported by an affidavit of counsel setting out in detail the number of hours spent on each aspect of the case, the rate customarily charged by counsel for such work, the prevailing rate charged in the community for similar services, and any other factors which the court should consider in making the award. Within 14 days after filing of the motion,

the party or parties against whom the award is requested shall respond with any objections thereto and accompanying memorandum setting forth why the award is excessive, unwarranted, or unjust.

**COMMENT:** Where a request for reconsideration under Fed.R.Civ.P. 59(e) has been filed, the time limit shall begin to run upon the denial of the motion. See *Miltimore Sales, Inc. v. International Rectifier*, 412 F.3d 685 (6<sup>th</sup> Cir. 2005).